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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/810,663

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Yassine Faihe

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EXAMINER

BONURA, TIMOTHY M

ART UNIT

PAPER NUMBER

2114

DATE MAILED: 10/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/810,663

Applicant(s)

FAIHE ET AL.

Examiner

Tim Bonura

Art Unit

2114

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 March 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

- **Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Hind, et al, U.S. Patent Publication Number 2004/0128585.**
- **Claims 1-8 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement.**

Claim Rejections - 35 USC § 112

1. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

2. Claims 1-8 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

3. Regarding claim 1: The limitation of "A system for troubleshooting a first computer system, comprising: a second computer system comprising." The instant application does not disclose a first computer system containing a second computer system anywhere in the application. The examiner believes that this is simply a grammatical error in construction of the claims by the applicant. The claims will be examined on the merits with the examiner under the assumptions that the first and second computers are in fact separate system that can communicate with each other.

4. Regarding claims 2-8, they are dependant upon claim 1 and thereby have the same rejection.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Hind, et al, U.S. Patent Publication Number 2004/0128585.

7. Regarding claim 1:

a. Regarding the limitation of “a system for troubleshooting a first computer system... a second computer system,” Hind discloses a system with a technical support server that can connect to a user computer via a customer computer virtual machine.

(See figure 1, item 110, 160 and 130, also see Paragraph 0022).

b. Regarding the limitation of “a memory storing: an electronic document including troubleshooting information,” Hind discloses a system with a debug database server which has stored within it debug scripts and debug information. (See figure 1, item 120, 140 and 150, also see Paragraph 0024).

c. Regarding the limitation of “a set of troubleshooting commands for execution by the first computer system and related to the troubleshooting information of the electronic document, wherein the troubleshooting command set is associated with the electronic document,” Hind discloses a system with a database for storing debug information and scripts within. (See figure 1, item 120, 140 and 150, also see Paragraph 0024).

- d. Regarding the limitation of “a processor for receiving a troubleshooting request from the first computer system and in response to the troubleshooting request, transmitting the electronic document and access to the troubleshooting command set to the first computer system,” Hind discloses a system where a technical support server can receive a request for diagnostic help, access a debug data base and transmit a debug script to a customer computer that requested the request. (Paragraphs 0014 and 0027-0028).
8. Regarding claim 2, Hind discloses a system the can send debug scripts formatted according to the XML language using HTTP to transfer the scripts. (Paragraphs 0030, 0034).
9. Regarding claim 3, Hind discloses a system the can send debug scripts formatted according to the XML language. (Paragraph 0030).
10. Regarding claim 4, Hind discloses a system discloses that the debug command is sent to the customer computer virtual machine after receiving a debug request. (Paragraph 0034-0035).
11. Regarding claim 5, Hind disclose a system wherein the customer computer virtual machine can run the debug script. (Paragraph 0035).
12. Regarding claim 6, Hind discloses a system wherein a POST command in HTTP is used to alert the technical support about the progression of the execution of the script. (Paragraph 0035).
13. Regarding claim 7, Hind discloses a system with debug scripts that are selected from a database of debug scripts according to received data from the customer computer. (Paragraph 0027, 0028).

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14. Regarding claim 8, Hind discloses a system in which a JVM debugging interface is used on the customer computer system and a GUI can be use on the technical service side.

(Paragraphs 0026 and 0029).

15. Regarding claim 9:

e. Regarding the limitation of "a system for troubleshooting a first computer system... a second computer system," Hind discloses a system with a technical support server that can connect to a user computer via a customer computer virtual machine.

(See figure 1, item 110, 160 and 130, also see Paragraph 0022).

f. Regarding the limitation of "receiving a troubleshooting request at a second computer system forms a first computer system," Hind discloses a system wherein the technical support computer can receive a request for debugging. (Paragraph 0014 and 0015).

g. Regarding the limitation of "in response to the troubleshooting request, transmitting the electronic document from the second computer system to the first computer system, wherein the electronic document includes access to a troubleshooting command set associated with the electronic document," Hind discloses a system with a database for storing debug information and scripts within. (See figure 1, item 120, 140 and 150, also see Paragraph 0024). Hind discloses a system where a technical support server can receive a request for diagnostic help, access a debug database and transmit a debug script to a customer computer that requested the request. (Paragraphs 0014 and 0027-0028).

16. Regarding claim 10, Hind discloses a system the can send debug scripts formatted according to the XML language using HTTP to transfer the scripts. (Paragraphs 0030, 0034).

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17. Regarding claim 11, Hind discloses a system the can send debug scripts formatted according to the XML language. (Paragraph 0030).

18. Regarding claim 12, Hind discloses a system discloses that the debug command is sent to the customer computer virtual machine after receiving a debug request. (Paragraph 0034-0035).

19. Regarding claim 13, Hind disclose a system wherein the customer computer virtual machine can run the debug script. (Paragraph 0035).

20. Regarding claim 14, Hind discloses a system wherein a POST command in HTTP is used to alert the technical support about the progression of the execution of the script. (Paragraph 0035).

21. Regarding claim 15, Hind discloses a system with debug scripts that are selected from a database of debug scripts according to received data from the customer computer. (Paragraph 0027, 0028).

22. Regarding claim 16, Hind discloses a system in which a JVM debugging interface is used on the customer computer system and a GUI can be use on the technical service side. (Paragraphs 0026 and 0029).

23. Regarding claim 17:

h. Regarding the limitation of "a method of generating an electronic document including troubleshooting information and a set of troubleshooting commands for execution by a first computer system," Hind discloses a system where a technical support server can receive a request for diagnostic help, access a debug data base and transmit a debug script to a customer computer that requested the request. (Paragraphs 0014 and 0027-0028).

- i. Regarding the limitation of "input of troubleshooting information describing a particular problem," Hind discloses a system in monitoring component in the virtual machine can gather system state data. (Paragraph 0028).
 - j. Regarding the limitation of "input of a troubleshooting command, wherein the command is adapted for execution by the first computer system to resolve the particular described problem," Hind discloses a system with debug scripts that are selected from a database of debug scripts according to received data from the customer computer. (Paragraph 0027, 0028).
 - k. Regarding the limitation of "generating an electronic document based on the combined troubleshooting information input and troubleshooting command input, wherein the troubleshooting command is executable by the first computer system," Hind discloses a system the can send debug scripts formatted according to the XML language using HTTP to transfer the scripts. (Paragraphs 0030, 0034). Hind disclose a system wherein the customer computer virtual machine can run the debug script. (Paragraph 0035). Hind discloses a system where a technical support server can receive a request for diagnostic help, access a debug database and transmit a debug script to a customer computer that requested the request. (Paragraphs 0014 and 0027-0028).
24. Regarding claim 18, Hind discloses a system in which a JVM debugging interface is used on the customer computer system and a GUI can be use on the technical service side. (Paragraphs 0026 and 0029).
25. Regarding claim 19, Hind discloses a system with debug scripts that are selected from a database of debug scripts according to received data from the customer computer. (Paragraph 0027, 0028).

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26. Regarding claim 20, Hind discloses a system the can send debug scripts formatted according to the XML language using HTTP to transfer the scripts. (Paragraphs 0030, 0034).

Specification

27. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Conclusion

28. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Tim Bonura**.

- The examiner can normally be reached on **Mon-Fri: 8:30-5:00**.
- The examiner can be reached at: **571-272-3654**.

29. If attempts to reach the examiner by telephone are unsuccessful, please contact the examiner's supervisor, **Scott Baderman**.

- The supervisor can be reached on **571-272-3644**.

30. The fax phone numbers for the organization where this application or proceeding is assigned are:

- **703-872-9306 for all patent related correspondence by FAX.**

31. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov/>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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32. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the **receptionist** whose telephone number is: **571-272-2100**.

33. Responses should be mailed to:

- **Commissioner of Patents and Trademarks**

P.O. Box 1450

Alexandria, VA 22313-1450

Tim Bonura
Examiner
Art Unit 2114

September 26, 2006

A handwritten signature in black ink, appearing to read 'Tim Bonura', with a long horizontal flourish extending to the right.